

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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|---|-------------------|
| In re Novartis and Par Antitrust Litigation                   | 1:18-cv-04361-AKH |
| This document relates to:                                     |                   |
| <i>Walgreen</i> (18-cv-9861)<br><i>Rite Aid</i> (18-cv-11835) |                   |

**PLAINTIFFS' NOTICE OF SUPPLEMENTAL AUTHORITY**

Plaintiffs in the *Walgreen* and *Rite Aid* cases respectfully notify the Court of the decision of the Federal Trade Commission in *In re: Impax Laboratories, Inc.*, Docket No. 9373 (March 28, 2019), a copy of which is attached as Exhibit 1. In that decision, after finding that Impax Laboratories, Inc. had entered into an unlawful reverse-payment settlement with a generic competitor, the Commission entered a cease-and-desist order that included prospective relief similar to the relief being requested here. *See* Exhibit 1 at 43-44. This Notice is being submitted in connection with Defendants' Motion to Dismiss Walgreen Co.'s and The Kroger Co.'s Claims for Injunctive Relief (No. 18-cv-4361, ECF Docs. 118-119) and Plaintiffs' Memorandum of Law in Opposition to that motion (No. 18-cv-4361, ECF Doc. 120).

Dated: June 24, 2019

By: /s/ Scott E. Perwin  
Scott E. Perwin  
Lauren C. Ravkind  
Anna T. Neill  
**KENNY NACHWALTER P.A.**  
Four Seasons Tower  
1441 Brickell Avenue, Suite 1100  
Miami, FL 33131  
Tel: (305) 373-1000  
Email: sperwin@knpa.com  
Email: lravkind@knpa.com  
Email: aneill@knpa.com  
*Attorneys for Walgreen Plaintiffs*

By: /s/ Barry L. Refsin  
Barry L. Refsin  
Monica L. Kiley  
Eric L. Bloom  
**HANGLEY ARONCHICK SEGAL  
PUDLIN & SCHILLER**  
One Logan Square, 27<sup>th</sup> Floor  
Philadelphia, PA 19103  
Tel.: (215) 568-6200  
Email: brefsin@hangley.com  
Email: mkiley@hangley.com  
Email: ebloom@hangley.com  
*Attorneys for Rite Aid and CVS*